

REMARKS

Reconsideration of the above-identified patent application in view of the present amendment is respectfully requested.

The Office Action of April 8, 2003 provisionally rejected claims 31-42 under the doctrine of obviousness-type double patenting over claim 1 of copending application serial number 09/752,951 and over claim 10 of copending application serial number 09/953,290. Claim 15 was rejected as anticipated under 35 U.S.C. §102(b) by Davis, Jr. et al., U.S. Patent No. 3,810,090. Claims 43 and 44 were rejected as anticipated under 35 U.S.C. §102(b) by Mendez et al., U.S. Patent No. 5,612,671. Claims 1-14 and 16-42 were rejected as obvious over Davis, Jr. et al. in view of Mendez et al. Claims 45-48, 51-54, and 56 were rejected as obvious over Mendez et al. in view of Davis, Jr. et al. and claims 49, 50, and 55 were rejected as obvious over Mendez et al.

Each of these rejections is respectfully traversed. Each independent claim of the present application (claims 1, 15, 31, 43, 44, 49, and 55) includes a method step or recited structure for receiving a request or initiation signal at a tire based unit of a tire pressure monitoring system so as to cause a transmitter of the tire based unit to transmit a signal indicating the sensed tire condition. For example, claim 1 recites a tire condition sensor having

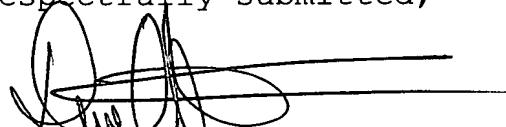
a low frequency receiver means for receiving a low frequency initiation signal and for causing a radio frequency transmitter means to transmit a radio frequency signal indicative of a sensed tire condition in response to receipt of the low frequency initiation signal. It is respectfully suggested that claim 1 of copending application serial number 09/752,951, claim 10 of copending application serial number 09/953,290, Davis, Jr. et al., and Mendez et al. all fail to teach or suggest such a feature.

Specifically, Davis, Jr. et al. appears to teach that transmitters 40 in the wheel assemblies 32 only transmit signals to the receiver 45 on the vehicle 30 when the diaphragm 62 of sensor 37 comes into contact with bridge 72. Mendez et al. appears to teach that the RF transmitter 28 of the tire pressure sender 14 is only responsive to closing of an inertia switch 34 or a pressure switch 36 for transmitting a tire condition signal. Neither Davis, Jr. et al. nor Mendez et al. teaches or suggests a tire based unit that receives a signal and, in response to the received signal, transmits a signal indicating a sensed tire condition. Therefore, it is respectfully suggested that the rejection of claims 1-56 is improper and should be withdrawn. Thus, allowance of claims 1-56 is respectfully requested.

In view of the foregoing, it is respectfully submitted that the above-identified patent application is in condition for allowance, and allowance of the above-identified patent application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,



\_\_\_\_\_  
Daniel J. Whitman  
Reg. No. 43,987

TAROLLI, SUNDHEIM, COVELL,  
& TUMMINO L.L.P.  
526 Superior Avenue, Suite 1111  
Cleveland, Ohio 44114-1400  
Phone: (216) 621-2234  
Fax: (216) 621-4072  
Customer No.: 26,294